



**DIVISION OF PLANNING AND PERMITTING  
FREDERICK COUNTY, MARYLAND**

*Department of Permits and Inspections*

30 North Market Street • Frederick, Maryland 21701

Phone (301) 600-2313 • Fax (301) 600-2309

## IMPACT FEE REFUND REQUEST FORM

Refunds for school and library impact fees are processed according to Frederick County Code, Development Impact Fee ordinance 1-22-5 (D) *Refunds*, attached for your reference. **Refunds may be processed if the request is made within 60 days following expiration or revocation of the building permit/ zoning certificate and the following are provided along with this request form: *You must provide the following with this request form:***

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- 1) Print out of the real property data from the State of Maryland website [www.dat.state.md.us](http://www.dat.state.md.us), to provide ownership information.

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- 2) Copy of the receipt showing impact fee payment. All refund checks are payable to the identity shown on the receipt.

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- 3) Documentation showing the expiration or revocation date of the building permit/ zoning certificate prior to construction- or- copy of an approved demolition permit for demolition of the structure.

Name of person requesting refund:		Name of company, if applicable:
Permit Number:	Receipt # :	Address of property refund is for:
Reason for request:		Subdivision Name and Lot Number:
<b>By signing below, the Applicant for this Refund Request is certifying that he/she is authorized to make this request.</b>		
_____ Signature of person requesting offset		_____ Connection with project
_____ Date		
<b>AGENCY PROCESSING ONLY</b>		
Date Request Received: _____		
Date Approved: _____		
Date Processed to Accounting: _____		

Frederick County – Development Impact Fee  
Ordinance 1-22-5 (d) *Refunds*

(1) Eligibility for Refund.

- (a) Expiration or revocation of building permit/zoning certificate. An applicant who has paid a development impact fee for a new development for which the necessary building permit/zoning certificate has expired or for which the building permit/zoning certificate has been revoked prior to construction shall be eligible to apply for a refund of development impact fees paid on a form provided by the county for such purposes.
- (b) Failure of county to use or appropriate development impact fee funds within time limit. The current property owner may apply for a refund of development impact fees paid by an applicant if the county has failed to use or appropriate the development impact fees collected from the applicant within the time limit established in subsections (b)(2) and (4). The refund application shall be made on a form provided by the county for such purposes.
- (c) Abandonment of development after initiation of construction. An applicant who has paid a development impact fee for a new development for which a building permit/zoning certificate has been issued and pursuant to which construction has been initiated, but which construction is abandoned prior to completion and issuance of a certificate of occupancy shall not be eligible for a refund unless the uncompleted building is completely demolished.
- (d) Administrative fee. A 2% administrative fee, but not to exceed \$500, shall be deducted from the amount of any refund granted and shall be retained by the county to defray the administrative expenses associated with the processing of a refund application.

(2) Except as provided in subsections (d)(1)(a) and (c) hereof, refunds shall be made only to the current owner of property on which the new development was proposed or occurred.

(3) Applications for a refund shall be made on a form provided by the county for such purposes and shall include all information required in subsections (d)(5) or (6) hereof, as appropriate. Upon receipt of a complete application for a refund, the county director of permits and inspections, or designee, shall review the application and documentary evidence submitted by the applicant as well as such other information and evidence as may be deemed relevant and make a determination as to whether a refund is due. Refunds by direct payment shall be made following an affirmative determination by the county director of permits and inspections, or designee.

(4) Applications for refunds due to abandonment of a new development prior to completion or due to expiration or revocation of a building permit/zoning certificate shall be made on forms provided by the county director of permits and inspections and shall be made within 60 days following expiration or revocation of the building permit/zoning certificate. The applicant shall submit:

- (a) Evidence that the applicant is the property owner or the duly designated agent of the property owner;
- (b) The amount of the development impact fees paid by public facilities category and receipts evidencing such payments; and
- (c) Documentation evidencing the expiration or revocation of the building permit/zoning certificate prior to construction or approval of demolition of the structure pursuant to a valid county-issued demolition permit. **Failure to apply for a refund within 60 days following expiration or revocation of the building permit/zoning certificate or demolition of the structure shall constitute a waiver of entitlement to a refund.** No interest shall be paid by the county in calculating the amount of the refunds.

(5) Applications for refunds due to the failure of the county to appropriate development impact fees collected from the applicant within the time limits established in subsection (B)(2) hereof shall be made on forms provided by the county and shall be made within 1 year following the expiration of such time limit. The applicant shall submit:

- (a) Evidence that the applicant is the property owner or the duly designated agent of the property owner;

- (b) The amount of the development impact fees paid by public facility category and receipts evidencing such payments; and
- (c) Description and documentation of the county's failure to appropriate development impact fee funds for relevant public facilities.

**(6) The county may, at its option, make refunds of development impact fees by direct payment, by offsetting such refunds against other development impact fees due for the same category of public facilities for new development on the same property, or by other means subject to agreement with the property owner.**

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